



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/138,459	08/21/98	ROSEN	0225-4161US1

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TM01/1121

EXAMINER

TUCKER, C

ART UNIT

PAPER NUMBER

2131

DATE MAILED: 11/21/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

DETAILED ACTION

1. Claims 12-18 are presented for examination.
2. The Examiner withdraws the rejection of claims 12-18 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 36-37 and 45 of U.S. Patent No. 5,557,518 in light of the Terminal Disclaimer filed 8/31/00.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashida (U.S. 6,003,767).

5. As per claim 17, Hayashida discloses an electronic purchase transaction method, comprising the steps of sending electronic money from a first transaction apparatus to a second transaction apparatus during purchase transactions (column 2, lines 16-32; column 5, lines 57-62; column 6, lines 21-54); storing in said first transaction apparatus electronic money transfer data during said purchase transactions (column 6, lines 21-54; columns 7-9); storing in said first transaction apparatus data (columns 7-9). Hayashida does not expressly disclose the transfer of receipt data from a second transaction apparatus to a first transaction apparatus; however, Hayashida does disclose that the first transaction apparatus stands by to receive information on the transferred amount from the second transaction apparatus (column 7, lines 12-21).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

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invention to modify the teachings of Hayashida to include the transfer of receipt data so that the owner of the first transaction apparatus could audit the previous transactions. Further, Hayashida does not expressly disclose the storage in the first transaction apparatus of receipt data that lists the items purchased; however, Hayashida does disclose that the first transaction apparatus is capable of displaying transaction details (column 7, lines 57-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Hayashida to include the transfer of receipt data so that the owner of the first transaction apparatus could audit the previous transactions.

6. Claim 12 is the apparatus version of claim 17's method claim and is thus rejected under the same grounds.

7. As per claim 13, Hayashida discloses the receipt data is included within an electronic physical object ticket (column 2, lines 1-5; column 19, lines 19-48).

8. As per claim 14, Hayashida discloses that said second electronic unit is adapted to connect to an accounts payable system (fig. 1 and associated text, especially column 2, line 65 – column 4, line 23).

9. As per claim 15, Hayashida discloses that said second electronic unit is adapted to connect to a purchase order system (fig. 1 and associated text, especially column 2, line 65 – column 4, line 23).

10. As per claim 16, Hayashida discloses that said first electronic unit is a money module and said second electronic unit is a trusted agent (fig. 1 and associated text, especially column 2, line 65 – column 3, line 55).

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11. As per claim 18, Hayshida discloses that the data describing items purchased includes ticket data (column 2, lines 1-5; column 19, lines 19-48).

Response to Arguments

12. Applicant's arguments with respect to claims 12-18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Tucker whose telephone number is 703 306 5539. The examiner can normally be reached on M-F between the hours of 8:30 and 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gail O. Hayes can be reached on 703 305 9711. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703 305 0040 for regular communications and 703 305 0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 3900.

CMT

CMT

November 7, 2000

Gail Hayes

GAIL HAYES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100